

Request for Waiver - Appeal

CC: Docket No. 96-45 and CC Docket No. 02-6

Service Provider info:

Synetra - SPIN# 143019997

John Sorensen

John@Synetra.net

8180 Lakeview Ctr

Odessa, TX 79765

432-561-7212 Office

432-561-7201

School info:

Kress ISD

BEN: 141846

FRN#1886258

To whom it may concern,

I would like to file an appeal for FRN# 1886258 for Kress ISD (BEN# 141846). I would like to request a 471 correction, FRN Extension, Contract Extension and an Invoice Deadline Extension.

Kress ISD Erate coordinator Leah Zeigler filed her 471(#683833) for their internal connections as a recurring charge for funding year 2009. This was a clerical error which has resulted in rejection of our service provider invoices. The project as shown on the item 21 attachment includes Cisco switches, security, wireless, eligible servers and associated eligible hardware and services. This project was clearly an internal connections project that was to be installed and billed as a one-time charge once completed. This project was 98% complete as of June, 30th 2010. The remaining part of this project that was not completed has to do with system integration/configuration of the systems that involved the school's telephone and internet provider. Those issues were out of our control and caused the invoices and subsequent service certifications to be dated past the deadline. Synetra waited until the project was completed to invoice as a one-time charge however this was past the deadline due to the 471 error. Since then I have worked with the school and USAC help line and was told to have the school file a Form 500 extension which was completed by the school. Once completed and I received confirmation I submitted another invoice from payment which was again rejected as a result of the 471 recurring charge clerical error.

Kress ISD was an 80% discount school for funding year 2009. They were funded in one of the later wave of the funding year. Due to the scope of work, service provider and schools timeline,

product availability and scheduling this project was ultimately completed past the deadline date because of the clerical error on the 471 being listed as recurring charge. It was never the intention that this project was to be completed and billed as a recurring charge rather as a one-time charge upon completion. Due to multiple calls to the SLD help line misinforming both the school and us that filing a form 500 would insure a contract extension when in fact it would not. Our additional invoices submitted after the form 500 confirmations were also rejected. .

Please see attached documentation which includes the item 21 attachments and our invoice showing the product listed sold to the school.

In Summary, The clerical error on the 471 submitted as recurring charge instead of non-recurring charge has caused the contract expiration date to end before the project could be completed. The USAC help line misinformed both the school and service provider by saying the form 500 contract extension would extend the contract dates. The extended time in filling and receiving the form 500 along with subsequent invoicing denials and time spent working with the USAC help line has put us past deadlines and caused us to file this appeal. We are requesting a 471 correction, FRN Extension, contract extension and invoice deadline extension.

Sincerely

John Sorensen
Synetra



3223 S. Loop 289 Suite 580
Lubbock, TX 79423
Tel: 806-762-2881 Fax: 806-762-2852

PRICE QUOTE
1/28/2009

Kress ISD
PO Box 970
5th and Ripley Street
Kress, TX. 79052
806-684-2651

SPIN # 143019997

By: Dennis Carver

QTY	PART NUMBER	DESCRIPTION	YOUR PRICE	EXTENDED PRICE
		Kress ISD		
1 PKG		Switches and Security	\$67,530.00	\$67,530.00
1	ASA5510-SEC-BUN-K9	Cisco ASA 5510 Adaptive Security Appliance		
1	WS-C3560G-24TS-E	Cisco 3500 Series (24) port 10/100/1000 plus (4) SFP Slots		
2	WS-C3560G-48PS-S	Cisco 3500 Series (48) port 10/100/1000 POE plus (4) SFP Slots		
4	WS-C3560G-48TS-S	Cisco 3500 Series (48) port 10/100/1000 plus (4) SFP Slots		
3	WS-C3560G-24PS-S	Cisco 3500 Series (24) port 10/100/1000 POE plus (4) SFP Slots		
10	GLC-SX-MM=	Cisco 1000 Base SX Transceiver		
20	FibPatch1M	Fiber patch Cables 1 Meter		
10	CAB-SFP-50CFM	Uplink Cable		
1	Inst/Config	Professional Installation and Configuration	\$ 6,000.00	\$ 6,000.00
1 PKG		Wireless Access Points	\$ 29,380.00	\$ 29,380.00
16	AIR-LAP-1142N-A-K9	Cisco 1100 Series Lightweight Access Point B/G/N		
1	AIR-WCS-WB-1.0-K9	Cisco Wireless Control System v.1.0 - License		
1	AIR-WLC4402-25-K9	Cisco Wireless Access Controller (25 Access Point Controller)		
1	Inst/Config	Professional Installation and Configuration	\$ 4,800.00	\$ 4,800.00
1 PKG		Servers	\$ 17,500.00	\$ 17,500.00
3	Server	HP Rack Mount Servers for DNS, DHCP AND Proxy Server		
2	Server	HP Rack Mount Servers for Web and Email Server		
1	Inst/Config	Professional Installation and Configuration	\$ 7,500.00	\$ 7,500.00
1 PKG		Racks and Battery Backups	\$ 16,010.00	\$ 16,010.00
2	Rack	Rack for Switches Includes Wire Management		
1	Enclosed Rack	Enclosed Rack for Servers w/ KVM Switch, Cables, 1U RM Monitor, and Blanking Panels		
2	SURTA3000XL	3000va Rack mount Battery Backups for Servers		
2	SUA1000RM1U	1000va Rack mount Battery Backups for Switches		
1	Inst/Config	Professional Installation and Configuration	\$ 2,000.00	\$ 2,000.00
1 PKG		Cabling	\$ 57,750.00	\$ 57,750.00
250	LAN CAT6 Runs	CAT6 Cable Runs for Classrooms		
2	LAN Fiber Run	Fiber Run		
		Total		\$208,470.00
		Kress ISD 20%		\$41,694.00

For Submission with E-Rate Form 471: **Contact Number 2007-8**
Contingent upon USAC funding and Board Approval

SLD Total

\$166,776.00

Submitted By:

Dennis Carver
Synetra

Date: 1/28/2009

Accepted By:

Kress ISD

Date: _____



8180 Lakeview Center
Odessa TX 79765
432-561-7200

Invoice	0050296
Date	5/21/2010
Page	1

Bill To:

KRESS I. S. D.
P. O. BOX 970
KRESS TX 79052

Ship To:

KRESS I. S. D.
5TH & RIPLEY STREET
KRESS TX 79052

Purchase Order No.	Customer ID	Salesperson ID	Shipping Method	Payment Terms	Req Ship Date	Master No.
LEAH ZEIGLER ERATE	KRE001	DAC	UPS GROUND	Net 30	4/7/2010	9,679
Ordered	Shipped	B/O	Item Number	Description	Unit Price	Ext. Price
1	1	0	ASA5510SECBUNK9	CISCO ASA 510 SEC PLUS APPL W/SW 250 IPSEC VPN PEERS	\$13,506.00	\$13,506.00
1	1	0	WSC3560G24TSE	CAT3560 24-10/100/1000 LAYER 3 SWITCH	\$0.00	\$0.00
2	2	0	WSC3560G48PSS	CISCO 3560 10/100/1000 POE SWITCH	\$0.00	\$0.00
4	4	0	WSC3560G48TSS	CISCO 3560 48 PORT 10/100/1000T + 4 SFP STD IMAGE	\$0.00	\$0.00
3	3	0	WSC3560G24PSS	CATALYST 3560G 24PORT POE SWITCH	\$0.00	\$0.00
10	10	0	GLCSXMM=	CISCO SX SFP	\$0.00	\$0.00
1	1	0	WIRING	20 - 1M FIBER PATCH CABLES	\$0.00	\$0.00
1.00	1.00	0.00	PROFSERV	PROFESSIONAL SERVICES	\$1,200.00	\$1,200.00
2	2	0	AIR-LAP1142-NK9-PI	CISCO AIRONET 1142N ACCESS POINT	\$2,938.00	\$5,876.00
1	1	0	AIR-CT5508-25-K9	CISCO AIRONET 5508 WIRELESS LAN CONTROLLER	\$0.00	\$0.00
1.00	1.00	0.00	PROFSERV	PROFESSIONAL SERVICES	\$960.00	\$960.00
2	2	0	HPCTO	HP CONFIGURE TO ORDER	\$1,750.00	\$3,500.00
			DL360 G6 E5506 SERVER FOR WEB AND EMAIL			
2	2	0	UE892E	HP 3YR EXT WARRANTY F/ DL360	\$0.00	\$0.00
3	3	0	HPCTO	HP CONFIGURE TO ORDER	\$0.00	\$0.00
			DL120 G6 X3460 SERVER FOR DNS, DHCP AND PROXY			
3	3	0	UK646E	HP SB 3YR 24X7X4HR PL WARRANTY UPGRADE	\$0.00	\$0.00
5	5	0	P7304966	MS ACAD WINSRVRSTD 2008R2	\$0.00	\$0.00
100	100	0	R1802619	MICROSOFT SERVER STD 2008 CAL	\$0.00	\$0.00
1.00	1.00	0.00	PROFSERV	PROFESSIONAL SERVICES	\$1,500.00	\$1,500.00
1	1	0	WIRING	WIRE MANAGEMENT FOR 2 RACKS	\$3,202.00	\$3,202.00
1	1	0	AR3100	APC NETSHELTER 42U RACK ENC W/SIDES	\$0.00	\$0.00
1	1	0	AP5015	APC 15" RACK LCD MONITOR	\$0.00	\$0.00
1	1	0	AP7530	APC RACK PDU	\$0.00	\$0.00
2	2	0	AR8136BLK	APC 1U 19" BLACK BLANKING PANEL	\$0.00	\$0.00
1	1	0	DKVM-8E	DLINK 8P KVM SWITCH	\$0.00	\$0.00
5	5	0	DKVM-CB3	DLINK ALL-IN-ONE 10' KVM CABLE	\$0.00	\$0.00
1	1	0	SURTA3000XL	APC SMART-UPS RT 3000VA RM/TWR	\$0.00	\$0.00
3	3	0	SUA1000RM1U	APC SMART UPS 1000VA RM	\$0.00	\$0.00
1.00	1.00	0.00	PROFSERV	PROFESSIONAL SERVICES	\$400.00	\$400.00
1	1	0	WIRING	CAT6 CABLE DROPS FOR CLASSROOMS	\$11,550.00	\$11,550.00
			UP TO 250 DROPS TERMINATED, TESTED,			
			RACEWAY, POWER POLES AND PATCH PANELS			
1	1	0	WIRING	LAN FIBER	\$0.00	\$0.00

Please Remit Payment to:
SYNETRA, Inc.
P.O. Box 12956
Odessa, TX 79768

ERATE
471 #683833
FRN #1886258

Subtotal	\$41,694.00
Misc	\$0.00
Tax	\$0.00
Freight	\$0.00
Payment Recd.	\$0.00
Total	\$41,694.00

FUNDING COMMITMENT REPORT
Service Provider Name: Synetra, Ltd.
SPIN: 143019997
Funding Year: 2009

Name of Billed Entity: KRESS INDEP SCHOOL DISTRICT
Billed Entity Address: 5TH & RIPLEY STREETS
Billed Entity City: KRESS
Billed Entity State: TX
Billed Entity Zip Code: 79052
Billed Entity Number: 141846
Contact Person's Name: Leah Zeigler
Preferred Mode of Contact: EMAIL
Contact Information: leah.zeigler@region16.net
Form 471 Application Number: 683833
Funding Request Number: 1886258
Funding Status: Funded
Category of Service: Internal Connections
Form 470 Application Number: 222530000712410
Contract Number: NA
Billing Account Number: N/A
Service Start Date: 07/01/2009
Contract Expiration Date: 06/30/2010
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-Discount Amount for Eligible Recurring Charges: \$208,470.00
Annual Pre-Discount Amount for Eligible Non-Recurring Charges: \$.00
Pre-Discount Amount: \$208,470.00
Applicant's Discount Percentage Approved by SLD: 80%
Funding Commitment Decision: \$166,776.00 - FRN approved as submitted

FCDL Date: 12/02/2009
Wave Number: 030
Last Allowable Date for Delivery and Installation for Non-Recurring Services: 09/30/2010



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2009-2010

November 29, 2010

John Sorensen
Synetra, Ltd.
8180 Lakeview Ctr.
Odessa, TX 79768

Re: Applicant Name:	KRESS INDEP SCHOOL DISTRICT
Billed Entity Number:	141846
Form 471 Application Number:	683833
Funding Request Number(s):	1886258
Decision Letter Date:	December 02, 2009
Date Appeal Postmarked:	November 18, 2010
Your Correspondence Received:	November 18, 2010

Our records show that your appeal was postmarked more than 60 days after the date your Funding Commitment Decision Letter was issued, as shown above. Federal Communications Commission (FCC) rules require applicants to postmark appeals within 60 days of the date on the decision letter being appealed. FCC rules do not permit the Universal Service Administrative Company (USAC) to consider your appeal.

If you believe there is a basis for further examination of your application, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be POSTMARKED within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

Schools and Libraries Division
Universal Service Administrative Company

cc: Leah Zeigler

John Sorensen
Synetra, Ltd.
8180 Lakeview Ctr.
Odessa, TX 79768

Billed Entity Number: 141846
Form 471 Application Number: 683833
Form 486 Application Number: